

**COMBINED DECLARATION AND POWER  
OF ATTORNEY IN ORIGINAL APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are stated below next to my name; and that

I believe I am the original, first and sole inventor (if only one name is listed below) or an  
original, first and joint inventor  
(if plural names are listed below) of the subject matter which is claimed and for which a patent is  
sought on the invention entitled:

**TITLE: DUAL DENSITY FILTER CARTRIDGE**

the specification of which

☐ is attached hereto, or,

☒ was filed on November 7, 2001 as United States  
(MM/DD/YY)

Application Number 10/037,260 or PCT International Application No.  
\_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).  
(MM/DD/YY)

I hereby state that I have reviewed and understand the contents of the above-identified  
specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as  
defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 (a)-(d) or § 365(b) of any  
foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International  
application which designated at least one country other than the United States listed below and  
have also identified below, by checking the box, any foreign application(s) for patent or  
inventor's certificate, or PCT International application having a filing date prior to that of the  
application on which priority is claimed.

Prior Foreign Application(s) (if any):

**Number    Country    Filing Date    Priority Not Claimed**

None \_\_\_\_\_ ☐  
(MM/DD/YY)

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional  
application(s) listed below:

**Application No.**

**Filing Date**

None

\_\_\_\_\_  
(MM/DD/YY)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or §  
365(c) of any PCT International application designating the United States listed below and,  
insofar as the subject matter of each of the claims of this application is not disclosed in the prior  
United States application or the PCT International application in the manner provided by the first  
paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material  
to patentability as defined in 37 C.F.R. § 1.56 which become available between the filing date of  
the prior application and the national or PCT international filing date of this application:

Application No.	Filing Date	Status (Patented) Pending, Abandoned)
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None

(MM/DD/YY)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Charles W. Ashbrook.....(Reg. No. 27,610)  
 Evan J. Federman.....(Reg. No. 37,060)  
 Barry H. Jacobsen.....(Reg. No. 43,689)  
 Darryl C. Little.....(Reg. No. 40,703)  
 Francis J. Tinney.....(Reg. No. 33,069)  
 Linda A. Vag.....(Reg. No. 32,071)

Address all telephone calls to at telephone number (973) 385-4401

Address all correspondence to: Darryl C. Little  
 Attorney for Applicant  
 Warner Lambert Company  
 201 Tabor Road  
 Morris Plains, NJ 07950

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, pursuant to 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or  
 first inventor (given name,  
 family name)

John Edward Fox

First Inventor's signature

 Date: 2-17-02

Residence

612 Watson Lane  
Blacksburg, Virginia 24060

Citizenship

USA

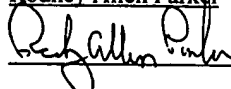
Post Office Address

Same

Full name of second inventor  
 (given name, family name)

Rodney Allen Parker

Second Inventor's signature

 Date: \_\_\_\_\_

Residence

709 York Drive  
Blacksburg, Virginia 24060

Citizenship

USA

Post Office Address

Same

## REVOCATION AND POWER OF ATTORNEY

Please revoke any existing Powers of Attorney, if any, and appoint the following attorneys and/or patent agents to prosecute the following applications and/or patents and to transact all business in the U.S. Patent and Trademark Office connected therewith in Table A:

Ali, M. Jeffer	Reg. No. 46,359	Hope, Leonard J.	Reg. No. 44,774
Altera, Allan G.	Reg. No. 40,274	Hornsby, III, Alton	Reg. No. 47,299
Anderson, Gregg I.	Reg. No. 28,828	Jacobson, Charles A.	Reg. No. 53,061
Batzli, Brian H.	Reg. No. 32,960	Johns, Nicholas P.	Reg. No. 48,995
Beard, John L.	Reg. No. 27,612	Johnston, Scott W.	Reg. No. 39,721
Berns, John M.	Reg. No. 43,496	Kalinsky, Robert A.	Reg. No. 50,471
Blackburn, Murrell W.	Reg. No. 50,881	Kelly, Zachary J.	Reg. No. 53,108
Bortolotti, Rebecca	Reg. No. 51,488	Kettelberger, Denise	Reg. No. 33,924
Branch, John W.	Reg. No. 41,633	Keys, Jeramie J.	Reg. No. 42,724
Brown, Jeffrey C.	Reg. No. 41,643	Knearl, Homer L.	Reg. No. 21,197
Bruess, Steven C.	Reg. No. 34,130	Korver, Joshua W.	Reg. No. 51,894
Byrne, Linda M.	Reg. No. 32,404	Kowalchyk, Alan W.	Reg. No. 31,535
Campbell, Keith	Reg. No. 46,597	Kowalchyk, Katherine M.	Reg. No. 36,848
Clifford, John A.	Reg. No. 30,247	Lamberty, Michael	Reg. No. 50,760
Cook, Jeffrey	Reg. No. 48,649	Larson, James A.	Reg. No. 40,443
Daignault, Ronald A.	Reg. No. 25,968	Lauer, Deakin T.	Reg. No. 47,892
Daley, Dennis R.	Reg. No. 34,994	Leach III, Thomas J.	Reg. No. P-53,188
Daley, William J.	Reg. No. 52,471	Leonard, Christopher J.	Reg. No. 41,940
Daulton, Julie R.	Reg. No. 36,414	Lewis, George C.	Reg. No. 53,214
DeVries Smith, Katherine M.	Reg. No. 42,157	Liepa, Mara E.	Reg. No. 40,066
DiPietro, Mark J.	Reg. No. 28,707	McDonald, Daniel W.	Reg. No. 32,044
Doscotch, Matthew A.	Reg. No. 48,957	McIntyre, Jr., William F.	Reg. No. 44,921
Edell, Robert T.	Reg. No. 20,187	Mueller, Douglas P.	Reg. No. 30,300
Epp Ryan, Sandra	Reg. No. 39,667	Nelson, Anna M.	Reg. No. 48,935
Fitzsimmons, Karen A.	Reg. No. 50,470	Parsons, Nancy J.	Reg. No. 40,364
Gadiano, Christina M.	Reg. No. 37,628	Pauly, Daniel M.	Reg. No. 40,123
Gaffney, Matthew M.	Reg. No. 46,717	Peterson, Kyle T.	Reg. No. 46,989
Goggin, Matthew J.	Reg. No. 44,125	Phillips, John B.	Reg. No. 37,206
Golla, Charles E.	Reg. No. 26,896	Pino, Mark J.	Reg. No. 43,858
Gorman, Alan G.	Reg. No. 38,472	Qualey, Terry	Reg. No. 25,148
Gotfredson, Garen J.	Reg. No. 44,722	Randall, Joshua N.	Reg. No. 50,719
Gould, John D.	Reg. No. 18,223	Reich, John C.	Reg. No. 37,703
Gregson, Richard	Reg. No. 41,804	Reiland, Earl D.	Reg. No. 25,767
Gresens, John J.	Reg. No. 33,112	Roath, Paul D.	Reg. No. 45,045
Haack, John L.	Reg. No. 36,154	Schmaltz, David G.	Reg. No. 39,828
Hamre, Curtis B.	Reg. No. 29,165	Schuman, Mark D.	Reg. No. 31,197
Hennings, Mark	Reg. No. 48,982	Schumann, Michael D.	Reg. No. 30,422
Hertzberg, Brett A.	Reg. No. 42,660	Scull, Timothy B.	Reg. No. 42,137
Hillson, Randall A.	Reg. No. 31,838	Sebald, Gregory A.	Reg. No. 33,280

Skoog, Mark T.	Reg. No. 40,178	Wahl, John R.	Reg. No. 33,044
Sorge, Keith M.	Reg. No. 50,865	Welter, Paul A.	Reg. No. 20,890
Stewart, Alan R.	Reg. No. 47,974	Whitaker, John E.	Reg. No. 42,222
Stoll-DeBell, Kirstin L.	Reg. No. 43,164	Wiegand, Jamie	Reg. No. 52,361
Sullivan, Timothy	Reg. No. 47,981	Wier, David D.	Reg. No. 48,229
Swenson, Erik G.	Reg. No. 45,147	Williams, Douglas J.	Reg. No. 27,054
Tellekson, David K.	Reg. No. 32,314	Withers, James D.	Reg. No. 40,376
Trembath, Jon R.	Reg. No. 38,344	Wong, Bryan A.	Reg. No. 50,836
Tunheim, Marcia A.	Reg. No. 42,189	Wong, Thomas S.	Reg. No. 48,577
Underhill, Albert L.	Reg. No. 27,403	Xia, Tim Tingkang	Reg. No. 45,242
Vidovich, Kristin K.	Reg. No. 41,448	Zeuli, Anthony R.	Reg. No. 45,255

**TABLE A**

<u>Docket No.</u>	<u>Serial No.</u>	<u>Filing Date</u>
12742.4USC1	10/094,892	March 11, 2002
12742.5USC2	10/205,675	July 25, 2002
12742.7US01	10/112,396	March 28, 2002
12742.8US01	10/037,260	November 7, 2001
12742.15USWO	10/009,408	July 2, 2002
12742.16USWO	10/069,812	June 11, 2002
12742.19USWO	10/088,049	June 4, 2002
12742.31US01	08/529,386	September 18, 1995
12742.44US01	29/137,936	March 1, 2001
12742.50USWO	10/088,048	June 4, 2002
12742.86USC2	10/271,822	October 15, 2002

**CERTIFICATE UNDER 37 C.F.R. § 3.73(b)**

Tetra Holding (US), Inc., a corporation organized and existing under the laws of the State of Delaware, having a place of business at 3001 Commerce Street, Blacksburg, Virginia 24060, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

- A. ☐ An assignment from the inventor(s), of the patent application identified above.  
The assignment was recorded in the Patent and Trademark Office on \_\_\_\_\_, at  
Reel \_\_\_\_\_, Frame(s) \_\_\_\_\_, or for which a copy is attached.

B. ☒ A chain of title:

1. From: Inventor(s) To: Warner-Lambert Company

A chain of title from the inventors of the patent applications identified below to Warner-Lambert Company as noted in the attached Table B.

2. From: Warner-Lambert Company To: Tetra Holding (US), Inc.

A copy of the Assignment is attached and will be recorded at the Assignment Branch on even date herewith.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Please direct all correspondence to Ronald A. Daignault, MERCHANT & GOULD P.C., P.O. Box 2903, Minneapolis, MN 55402-0903, telephone (612) 332-5300.

Date: 5-27-2003

By: \_\_\_\_\_

Joseph Gil

Title: Chief Financial Officer



**TABLE B**

<u>Docket No.</u>	<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventors</u>	<u>Assignment Recordation Date</u>	<u>Reel/Frame No.</u>
12742.4USC1	10/094,892	March 11, 2002	Roland D. Horth Joseph Lee	December 12, 1997	8992/0761
12742.5USC2	10/205,675	July 25, 2002	Hubert Kürzinger Hartmut Schmidt Dietmar Kuhlmann Rudiger Heine	August 20, 1999	010358/0956
12742.7US01	10/112,396	March 28, 2002	Joseph Christopher Carley Mark Gerard Agresta	May 13, 2002	012904/0031
12742.8US01	10/037,260	November 7, 2001	John Edward Fox Rodney Allen Parker	March 13, 2002	012655/0146
12742.15USWO	10/009,408	July 2, 2002	Hartmut Schmidt Hubert Kurzinger	March 18, 2002	012708/0684
12742.16USWO	10/069,812	June 11, 2002	Hubert Kurzinger Dietmar Kuhlmann	July 1, 2002	013035/0016
12742.19USWO	10/088,049	June 4, 2002	Gunter Ritter	June 4, 2002	012953/0972
12742.31US01	08/529,386	September 18, 1995	Gunter Ritter	May 29, 1997	8552/0837
12742.44US01	29/137,936	March 1, 2001	Joseph C. Carley John E. Fox Jeffrey A. Warden	June 4, 2001	011880/0857
12742.50USWO	10/088,048	June 4, 2002	Gunter Ritter	May 29, 2002	012964/0985
12742.86USC2	10/271,822	October 15, 2002	Hubert Kurzinger	May 12, 1997	9155/0051

## ASSIGNMENT

THIS ASSIGNMENT (this "Assignment"), effective as of December 17, 2002 (the "Effective Date"), is by and between Warner-Lambert /company, a Delaware Corporation ("Assignor"), and Tetra Holding (US), Inc., a Delaware corporation ("Assignee").

A. WHEREAS, Pfizer, Inc. ("Pfizer"), through certain of its Affiliates has sold the capital stock of certain of its Subsidiaries related to the Business and certain Affiliates of Assignor have sold certain assets related to the Business to the Assignee in accordance with a certain Stock and Asset Purchase Agreement dated November 5, 2002 (the "Stock and Asset Purchase Agreement") and entered into between Pfizer and Holly Beteiligungs GmbH & Co. KG, a limited partnership with a limited liability company as general partner (*Komplementär*) organized under the laws of Germany (to be renamed Tetra HoldCo GmbH & Co. KG) ("Holly");

B. WHEREAS, Assignor was or is the owner of the U.S. Patent Applications set forth in the attached Schedule A (the "Properties") and;

C. WHEREAS, in furtherance of the foregoing, Assignor desires to transfer, assign, convey deliver and vest all of its interests and rights in the Properties for all countries, jurisdictions and political entities of the world, to and in Assignee.

NOW, THEREFORE, in consideration of the promises and for other good and valid consideration, the receipt and sufficiency of which are hereby acknowledged, the parties, intending to be legally bound, agree as follows:

Assignor, subject to Section 2.2 of and otherwise in accordance with the Stock and Asset Purchase Agreement, does hereby assign, convey, transfer and deliver, and agrees to assign, convey, transfer and deliver to Assignee, its successors, legal representatives, assigns and nominees, Assignor's entire right, title and interest in, to and under the Properties (including any extensions, reexaminations and reissues of such Properties, patents of addition, divisions, continuations, continuations-in-part and any subsequent filings claiming priority therefrom) and further including, without limitation, all income, royalties and damages now and hereafter due and/or payable to Assignor, for all countries, jurisdictions and political entities of the world, along with the right to sue for past, present and future infringements, in and to all the Properties, and corresponding counterpart foreign patents and patent applications, with respect to which, and to the extent to which, Assignor now has or hereafter acquires the right to so assign, convey, transfer and deliver.

AND THE ASSIGNOR HEREBY authorizes and requests the Commissioner of the United States Patent and Trademark Office, and any Official of any country or countries foreign to the United States, whose duty is to issue patents or other evidence or forms of intellectual or industrial property protection on applications as aforesaid, to issue the same to the Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND THE ASSIGNOR HEREBY covenants and agrees that the Assignor has full right to convey the entire interest herein assigned, and that the Assignor has not executed, and will not execute, any agreement in conflict herewith.

AND THE ASSIGNOR HEREBY further covenants and agrees that the Assignor will communicate to the Assignee, its successors, legal representatives and assigns, any facts known to the assignor respecting the Properties, and testify in any legal proceeding, sign all lawful papers, make all rightful oaths, and generally do everything possible to aid the Assignee, its successors, legal representatives and assigns, to obtain and enforce proper protection for the Properties.

#### DEFINITIONS

Capitalized terms used herein and not otherwise defined herein shall have the meanings set forth for such terms in the Stock and Asset Purchase Agreement.



IN TESTIMONY WHEREOF, ASSIGNOR has caused this Assignment to be duly executed by its duly authorized officer on the date set forth below.

WARNER-LAMBERT COMPANY

By: [Signature]

Its: Assistant Secretary

Date: April 10, 2003

STATE OF New Jersey )  
 )ss:  
COUNTY OF Maricopa )

On this 10 day of April 2003, before me the undersigned, a Notary Public for the [country/state] of New Jersey, personally appeared Evan Federman, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.

[Signature: Lisa Peters]  
Signature of Notary

LISA PETERS  
Notary Public of New Jersey  
My Commission Expires January 28, 2007

IN TESTIMONY WHEREOF, ASSIGNEE has caused this Assignment to be duly executed by its duly authorized officer on the date set forth below.

TETRA HOLDING (US), INC.

By: Joseph Gil 

Its: DIRECTOR FINANCE / CFO

Date: 5-27-2003

STATE OF VIRGINIA )  
 )ss:  
COUNTY OF Montgomery )

On this 27<sup>th</sup> day of May 2003, before me the undersigned, a Notary Public for the [country/state] of VIRGINIA, personally appeared Joseph Gil, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.

My Commission Expires  
July 31, 2004

Grace Doos  
Signature of Notary

## SCHEDULE A - PROPERTIES

### Pending Patent Applications

Application #	Title	Filing Date
08/073,756	Aerobic Support Medium for an Aquarium Filter	06/08/1993
08/529,386	Filmforming Disinfective Wound Dressing	09/18/1995
10/069,812	Portion Packing for Gel Feed	06/11/2002
10/009,408	Energy-Rich Feed Flakes for Fish and Invertebrates as Well as Process for the Production	07/02/2002
10/088,049	Process for the Improvement of the Water Quality of Maintenance Water	06/04/2002
10/088,048	Water Treatment Agent for the Prolongation of the Water Exchange in Maintenance Systems	06/04/2002
10/037,260	Dual Density Filter Cartridge	11/07/2001
10/112,396	Filtration Devices	03/28/2002
10/205,675	Novel Flake-Feed, Especially for Aquatic Animals	07/25/2002
10/271,822	Long-Term Feedstuff for Aquatic Animals	10/15/2002
10/094,892	Viquarium	03/11/2002
29/137,936	Aquarium Filter	03/01/2001
709867	Medicated Food for the Treatment of Ectoparasites and Endoparasites in Pet and Farm Fish	06/04/1991
882491	Gang Valve	05/13/1992
801797	Aquarium Water Treatment Module	12/02/1991
349277	Aquarium Water Treatment Module	05/09/1989